

Evening Telegraph

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MONDAY, AUGUST 12, 1867.

What is Consistent with an Unbiased Judiciary?

The trial of John H. Surratt, which has taken place at Washington, has developed a line of conduct on the part of certain members of the bar which is as novel as the verdict, or rather the non-verdict of the jury. Setting aside the testimony adduced during the trial, and the singular method of examination adopted by the counsel for the prisoner, we would call attention to the amazing and disgraceful conduct of Joseph H. Bradley, Sr. Our readers cannot have forgotten the insolence which characterized that gentleman's conduct, and the arrogance of his tone at the very outset of the case. But not content with insult, he went further, and after the adjournment of the Court assailed Judge Fisher in the hall of justice, seized on him, sick as he was, and within the very confines of the Court struck its presiding officer. Nor was this assault for any conduct of his Honor while off the bench. Had it been that a personal difficulty had occurred away from the routine of official duty, or had it been that the grounds for offense were laid at any other time than during the sitting of the court, such conduct might have had some feeble palliation. It is not to be supposed that the ermine can protect its wearer when the wearer transgresses in his private character the courtesy which is due from a gentleman to a gentleman. For words spoken off the bench the judge must be as responsible as the common drayman. But when in the discharge of his official duties, when from his seat on the bench a judge has occasion to censure or correct an attorney practicing before him, and to compel from the attorney that deference which is due to the official position of the judge, it is contrary to all principles of common sense, it is subversive of all freedom and unbiased action of the judiciary, to allow the attorney to avenge his assumed wrong by an assault after the Court has adjourned. Supposing even that justice be on the side of the lawyer, and that the judge was really the offender, who is to decide whether the grounds for an assault are sufficient or not? Is every lawyer to be the only arbitrator as to whether the court has transgressed its privileges? Is every judge to be exposed to the rage of a defeated practitioner? If such is to be the rule, then justice is a farce, the judiciary is no longer free, the court is little better than the prize-ring, and the only quality necessary for a successful advocate is a well-developed muscle. Why not extend the principle further, and let each juror be responsible to the lawyer, and let him form his verdict with the fear of a castigation before his eyes? Then would Heenan and Morrissey excel, and Webster and Benton and Dallas take inferior places, to make room for the champions of the prize-ring.

Mr. Bradley assailed Judge Fisher for a decision on the bench. The case was a peculiarly aggravated one, and had it occurred in our city would have received an instantaneous punishment. Within an hour after the act the name of the offender would have ceased to appear on the list of attorneys. Judge Fisher, however, pursued a milder course, and allowed the trial of Surratt to continue and come to a conclusion before he took any step towards vindicating the dignity of the Court. When, however, the jury had been discharged, he then directed that the name of Mr. Bradley be erased from the list of attorneys. In doing so he acted in the only manner possible which was consistent with the respect of the Court and the preservation of the dignity of the judicial tribunal. The fact that four days previous to this action Mr. Bradley had written a challenge, is another argument to prove that the expulsion of such a member of the bar was eminently proper. The statement that the bar of Washington is opposed to such an action is, we believe, an error. Every right-thinking lawyer will heartily approve of the preservation of the freedom of the bench, and the action of Judge Fisher was essential to a vindication of the sanctity of the bench, and the preservation of the freedom of that department of government on which the people must entirely rely for justice.

Removed Intention of the President to Resign. The rumor that President Johnson was about to resign is said to have prevailed extensively in Washington for a day or two past. We have no means of knowing upon what basis of fact, if any, this report obtained currency; but we are very sure that such a step on the part of the President would be the most popular act of his administration. He has lost the confidence and respect of the country, irrespective of party. He is totally unable to carry out his own line of policy, and he keeps the nation in a chronic condition of agitation by his persistent and exasperating efforts to defeat the policy of the people. He is the great impediment to a peaceful and prompt reconstruction of the Union. Why, then, should he not resign? He was elevated to the Presidency not by the vote of the people, but by the pistol of an assassin; he has not administered the office in accordance with the will of the people; he has sunk lower and lower in popular estimation every month that has held office; if he escapes impeachment

and removal it will be by the merest chance; he is the source of national disgust and exasperation; he is doing no good but much evil where he is; and why not, therefore, resign? Why not do one thing which everybody will recognize as most appropriate to be done?

The Fortune of Chief Justice Chase. A PARAGRAPH has been floating the rounds of the papers that Chief Justice Chase was a poor man before the war, and that he now returns an enormous income, derived from illegitimate gains while he held the post of Secretary of the Treasury. That a public man so prominent as the Chief Justice, and so fearlessly outspoken in his opinions, should create the hatred of many, and that his character should be assailed, is no cause for surprise. As the father of the great system of National Banks, it immediately occurs that a pecuniary assault would have a seeming foundation.

Other public men as pure as Judge Chase have suffered the same. But the slander in the present case is without the shadow of a foundation. The Chief Justice was a rich man before he went to Washington in any capacity, and during the whole of his public life his expenses have always exceeded his salary. Living with open liberality and extended hospitality, he has always been compelled to draw on his private fortune in order to keep up this style of living. The story now so industriously circulated is only a base and malicious falsehood set on foot to injure the Chief Justice, and to affect his future political prospects. It strikes a man invulnerable in his honesty, and will fail to damage the reputation of a statesman of so high a standing as the head of our national judiciary.

The President's Dilemma. We do not wonder that President Johnson moves slowly in the Stanton matter. Should he attempt to remove the Secretary of War in violation of law, he would certainly furnish a clear and undisputable case for impeachment. That the intent of the Tenure of Office bill was to take from the President the power of removing Cabinet officers, without the consent of the Senate, is indisputable; and the quibbles whereby this plain intent of the law is sought to be avoided, might not possess much weight with the Senate as a high Court of impeachment.

On the other hand, if Stanton is merely suspended, the whole matter will go at once to the Senate upon its assembling, where he will be fully sustained, and will return to his office with all the prestige of triumph over the President.

The dilemma is an ugly one, and Mr. Johnson should have studied it more carefully before he encountered it.

The Surratt Case. The Surratt case has terminated in a disagreement of the jury. While the wretched criminal thus escapes a legal conviction as one of the murderers of the President, we doubt that the public judgment of his connection with that crime will be at all modified thereby. Enough has been developed on the trial to show conclusively that he was one of the conspirators. Whether he was actually present in Washington on the day of the assassination matters little. The jury has saved him from the gallows, but the brand of Cain is upon him.

The facts developed on this trial show that Surratt was a conspirator and a traitor, but whether a Washington jury could be found to convict him is a question. It is doubtful whether such a jury would have convicted even Booth himself.

CONOVER'S BID FOR A PARDON.—The desperate straits to which the President is reduced are revealed when he summons a convicted and self-acknowledged perjurer to his aid. Sanford Conover, alias Dunham, concocts a story which on its very face bears evidence of fraud, and the President, through a supple tool, sends it forth to the world. Nobody will wonder that Conover, a convicted perjurer, should have invented the story, because he hoped, and not unreasonably, thereby to obtain a pardon; but that the President should have thought that such a farandole of fraud and folly would have any influence upon the public mind, only shows to what a fearful extremity he has been reduced. But Mr. Johnson should now play fair, and give Conover the pardon which he has so richly earned.

"FIERCE SPECTACLES."—The latest charge against the distinguished Secretary of War is that he wears "fierce spectacles." Says our Democratic contemporary this morning:—"No tear moistened the dark eyelids of the Advocate-General, or dimmed the fierce spectacles of the Secretary of War." We submit that this is too bad. A man who wears "fierce spectacles" ought not to be allowed to hold a seat in the Cabinet. This farandole is undoubtedly owing to the peculiar character of the glasses used in the construction of the spectacles. Mr. Stanton should try some other maker.

THE "HARRIS" LETTER.—The conservative letter published in the papers on Saturday, and ascribed to ex-Senator Harris, of New York, proves to have been the production of somebody else. It bore internal evidence of not coming from Senator Harris, unless that gentleman has lately become demented. Who Mr. "Ira E. Harris" is, nobody knows or cares.

AN AGGRAVED NOBLEMAN.—The Marquis of Westmeath holds the same position in the English House of Lords that has earned Mr. Whalley so funny a notoriety in the House of Commons. He is the self-appointed champion of Protestantism, and finds in every other motion and bill a Jesuitical plot. This noble lord has a friend, a "leading Orangeman," who haunts the strangers' gallery of the House of Lords, which is immediately above the gallery in which the reporters sit. On the occasion of the second reading of the bill for the repeal of the Declaration against Transubstantiation, Lord Westmeath had given notice of a question, and was about to speak, when his Orange friend, whose name is Harper, being in the gallery, overheard one reporter say to another:—"I see that old idiot, the Marquis of Westmeath, has a long note on the books for this evening, but I'll take care not to give a word of what he says." Subsequently the same individual observed in a loud voice, evidently intended for the occupants of the reporters' gallery:—"What a pity it is that there is no one to send this confounded old idiot to a lunatic asylum!" Harper reported these remarks to Lord Westmeath, and that indignant peer asked the House at its next session if they did not constitute a breach of privilege? There was a roar of laughter, and some considerate friend persuaded the Marquis not to press his point. As the incident has got into the papers, its hero may as well retire at once to his ancestral acres. He will have no comfort of his life in London.

"THE ONE CENT WAR."—The "one cent war" in St. Louis has ended, and in favor of right and the people. The street railroad companies have yielded, and, for the present at least, have abandoned the attempt to extort the six cent rate of fare. The result was due to the almost unanimous opposition of the St. Louis people, who not only grumbled and protested, as we did here, but made practical and physical resistance to the imposition. Knowing their rights, they defended them. On the last day when the six cent fare was demanded there was a series of lively squabbles "along the whole line." Frequent collisions occurred between the passengers and the conductors, but the police adopted this sensible and just rule—that when the passengers simply acted on the defensive, the conductors should be arrested. Finding that the battle was going against them under this regulation, the railroad directors ordered that the cars be stopped whenever any collisions between the passengers and conductors occurred, but this "doge" was fruitless, for the police would not allow the standing cars to obstruct the streets. Beaten at all points, and finding that the Police Court decided generally in favor of the passengers, the railroad companies concluded to back water and return to the legal and just rate of fare. They are not through their troubles, however, for the Street Commissioner has brought several suits against them for obstructing the streets; and other suits may be instituted for failure to run on regular time. It is a comfort to know that the "one cent war" has been extremely unprofitable to them.

TRouble BREWING.—The new Canadian Confederation does not start off under altogether the happiest auspices. The party leaders are wrangling among themselves, and the opposition is daily acquiring strength. Lower Canada is jealous of Upper Canada, and their respective journals denounce each other in unmeasured terms. The Browns, McGees, Howes, Camerons, Macdonalds, and Cauchons are, to say the least, having a decidedly lively time of it. Already do some of our Canadian exchanges begin to predict the failure of the Confederation. Our neighbors will never find any true and lasting union, except under the Stars and Stripes.

ASKING QUESTIONS.—In Mrs. Craik's (Miss Muloch's) new novel of "Leslie Tyrell" there is a well-drawn picture of a gardener mowing, who is much relieved when the arrival of a stranger brings to a close his cross-examination by a bevy of curious children:—"He touched his hat with an air of great relief, for the children were propounding to the mower questions and remarks of an abstruse and difficult nature, respecting the work in which he was engaged, and as he altogether failed to understand the drift of almost any one of the questions asked, he was in consequence driven to such irrelevant replies as threw the children's minds into a state of extreme confusion."

THE PHILOSOPHY OF NOVEL READING.—The Saturday Review thinks that in modern life the book of romance fills the same place which was held by the drama in the earlier stages of the world's history. It says:—"The literature of a country, indeed, represents the condition of the popular imagination far more than it represents the condition of national manners. The one distinguishing feature of the literature of the nineteenth century has been the wonderful growth of the novel. The novel may be almost said to constitute the staple literary food of three-quarters of our contemporaries. We are so dependent on the institution that it seems difficult to understand how people got on before it was invented."

A LAKE MONSTER.—The dwellers on Lake Michigan are sure there is a monster in that lake. Whether whale, sea serpent, mermaid, or beast, they do not know, but they are sure such a creature is there, and an expedition like that of Jason in search of the Golden Fleece is contemplated. Jasons, to order, can be found in Chicago.

NOT DRAMATIC.—It is said by the Boston Journal that the only thing which has prevented the dramatization of "Norwood" is the great number of its characters. It would take a regiment of actors to fill the dramatic persons.

GOOD OUT OF EVIL.—A London letter-writer says that one good result is likely to come from the execution of Maximilian. Since hearing of that event, the Emperor of Austria has declared that he never will again sign another death-warrant.

A NEW ENGLAND BROTF.—According to the Post, some Boston boy has invented a process for the rapid and extensive manufacture of turtle soup. This is the formula:—"Pour a quart of water into a painful of hash."

Tax on MUSIC.—In Dayton, Ohio, the proprietors of hand-organs and hurdy-gurdies are persuaded to move on by a municipal fine of \$2. This, imposed daily, cuts the "margin of profit" that emigration and exile ensue.

Six.—The Boston Post has the following puff of one of its favorite summer resorts:—"For a good watering place, go into the cellars of some of our liquor dealers."

A PREGNANT TRUTH.—The London Spectator, after making the remarkable statement that the "Western farmers of America declare that they cannot, and will not, cut grain at the present rate of wages," follows up the apocryphal announcement by stating the undoubted fact (not peculiar to London) "that if live meat were selling at a penny a pound the butchers would charge 10d."

THE METEORS.

What is Seen from Greenwich Observatory. GREENWICH OBSERVATORY, ENGLAND, AUGUST 10—Midnight.—The astronomers employed here are engaged in making observations of the August meteors. The night is clear and the moon very bright. Since the hour of 9 o'clock to-night but few meteors have been seen, and none of them brighter than stars of the third or fourth magnitude. The observations made to this moment confirm the statement that the radiant point of the luminaries is in the constellation Perseus. All the meteors yet seen are green.

Meteoric Display as Seen at Fough-keepsie.

FOUGHKEEPSIE, August 11.—A very severe storm raged at different points along the Hudson yesterday afternoon. At this place the rain fell in torrents and the wind blew a perfect hurricane, cutting down trees, tearing away awnings, and doing considerable damage. Between here and New Hamburg hail fell in large quantities, and below the lightning was terribly vivid. At ten o'clock last evening the wind from the northeast, being light. At half-past twelve the sky to the northward was comparatively clear, and the wind had shifted to the north-northwest. At half-past one a brilliant meteor shot from the northern to the southern horizon. It was followed by several others, neither of which, however, was as brilliant in appearance as the first. From one till two A.M. over seventy meteors were counted, and from that time till half-past three A.M. they increased in numbers so fast that they could not be counted. Three of them were of great brilliancy and presented a splendid appearance. All the while the air was quite cool and the sky clear. By four o'clock A.M. the celestial exhibition had entirely ceased.

Delights of Travel on a Red Sea Steamer.

The heat in the Red Sea was, to my mind, terrific, although I have since found that men can bear much higher temperature without inconvenience. I couldn't sleep, eat or read. Nothing but perfectly faded existence could be endured, and the various points of interest—Mount Sinai and Horeb, which were plainly visible, were merely glanced at and listlessly spoken about. Every one at least looked uncomfortable, and that "prickly heat" that tormented one more than the other, was the only distinction in the apparent amount of misery each had to endure. Troubles never come alone, so my special antipathy—cockroaches—swarmed in the cabins, beds, and every crevice around you, below deck. It is not a pleasant thing to go into the kitchen without a light, and feel one or two of the small English "black beetles" endeavoring to ascend your leg, or introduce themselves into your shoes; but—horror of horrors!—to have to get into a berth that you have seen pronounced by troops of enormous insects, and be forcibly deprived of light by an external authority blowing it out just as you fancy you discern the "captain" beetle leading his force out for the night. Lie down, and fancyes multiply, and tired Nature yields at last, and dreams of Brobdingnagian Cockroaches, snatches of unrefreshing sleep are obtained. Short, however, is the repose for an uncomfortable strong pull at your hair, or an uneasy feeling about your inner nails, tells you too plainly that one of the midnight visitors has commenced his nibbles. Positively, one night I imagined my fellow-companion was playing a practical joke, and constantly awakening me by tugging at my hair. Enraged and out of patience, I rose up, and finding a slight tug on the lower berth on the head of an unfortunate and maltreated friend, who was sound asleep, I discovered the disturber to be an enormous cockroach, measuring nearly three inches in length, that hurriedly scuttled off the pillow, and secreted itself in a crevice in the ship's side. Great are the tortures of those who, prying themselves on their personal appearance, with fixture and pomade, present that glossy and attractive head of hair. Cockroaches on the head, and the smell of grease and hair pomades as any young swell could be on shore. The moral is evident. Oil your hair as little as possible when on board a ship in tropical climates.—St. James' Magazine.

SPECIAL NOTICES.

- GROCERS' AND BUTCHERS' REGISTER.—PHILADELPHIA.—Cheap and good; warranted. Also, HARRIS' UNCLE SAM HOT-AIR RANGE, which is so admirably constructed that the cooking of a family of five persons can be done in a single exercise. NEW MAGLICOLO HEATER, which is cheap, powerful in giving heat, and saving in cost. B. S. HARRIS & CO., No. 149 NORTH SIXTH STREET.
- NEWSPAPER ADVERTISING.—JOY, COE & CO., Agents for the "TELEGRAPH" and Newspaper Press of the whole country, have REMOVED from FIFTH and CHESTNUT STREETS to No. 148, SIXTH STREET, second door above WALNUT. CORNERS OF 148 S. SIXTH STREET, Philadelphia; TRIBUNE BUILDINGS, New York. 7304tp
- PARTEE SCIENTIFIC COURSE IN LAFAYETTE COLLEGE.—The next term commences on THURSDAY, September 12. Candidates for admission may be examined the day before (September 11), or on Tuesday, July 30, the day before the annual commencement. For circulars apply to President CATTELL, or to Professor R. B. YOUNGMAN, Clerk of the Faculty. ESTON, Pa., July, 1867. 7204pt
- McELROY'S PHILADELPHIA CITY DIRECTORY FOR 1868.—The publishers inform their friends and the public that the above work will be issued at the usual time. The canvass will commence as heretofore, and, by a careful selection of experienced canvassers and strict attention by the compilers, we are determined to make the Directory for 1868 a reliable and full record of the names and locations of all business men and private citizens. Grateful for past encouragement, future patronage is respectfully solicited. A. McELROY & CO., No. 637 CHESTNUT STREET, 2d floor. 8108tp
- FOR CLERK OF ORPHANS COURT, WILLIAM F. SORELL, 723 1m Subject to the rules of the Democratic party.
- PHILADELPHIA AND READING RAILROAD COMPANY.—OFFICE, No. 227 S. FOURTH STREET. PHILADELPHIA, June 26, 1867.
- DIVIDEND NOTICE.—The Transfer Book of this Company will be closed on SATURDAY, the 6th of July next, and be reopened on TUESDAY, July 16, 1867. A Dividend of FIVE PER CENT has been declared on the Preferred and Common Stock, clear of National and State Taxes, payable in cash, and also the same amount to the holders thereof, as they shall stand registered on the books of the Company on the 6th of July next. All orders for Dividends must be witnessed and stamped. S. BRADFORD, Treasurer.
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SPECIAL NOTICES.

PHILADELPHIA, 3d AUGUST, 1867.

The undersigned, citizens and members of the Republican Party of Philadelphia, having long known Mr. JOSEPH M. COWELL, and well knowing his honesty and capability to faithfully and properly discharge the duties of any position that he would be willing to accept, earnestly desire that he may be selected by the political party to which we are attached, as the next candidate for the sheriffship of this county. Should he, as we trust he will, be nominated for that position by the Republican Convention in August (inst.), we should take peculiar pleasure in giving him our cordial and earnest support in the canvass and at the polls, feeling, as we do, assured that, if, through our efforts in his behalf, we should be particularly instrumental in electing him as Sheriff of Philadelphia, he would so conduct the business of that office that we should have reason ever after to congratulate ourselves for our part in having aided to place him in it.

Mr. Cowell has been for thirty-six years a resident of this city, during which time he has given the most conclusive proof of integrity and intelligence in discharge of his duties to both public and private business, as a merchant and as a public officer. The occurrence of the Rebellion was the destruction of his mercantile business, as it was chiefly connected with the Southern trade, and in 1861, he was appointed by Abraham Lincoln Appraiser of Customs for this Port, which position he filled with honor until, in consequence of the defection from the Republican Party of Andrew Johnson, he was removed, because he would not desert his party and violate his own convictions of political duty. As a member of Councils, also, Mr. Cowell proved himself eminently worthy of public confidence.

Mr. Cowell has been named in two Conventions of his party for the Sheriffship, in which instances he stood next in the number of votes received to the successful candidate. It is to be hoped that in the next Republican Convention he will receive a majority of the votes for this office. It is the sincere wish of the undersigned that he may, and they hereby pledge themselves to use all proper means to secure his success in that Convention, and afterwards before the people.

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